

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|   |   |                     |
|---|---|---------------------|
| SHANNON ARKO, individually and on behalf  | ) |                     |
| of all others similarly situated,         | ) |                     |
|   | ) |                     |
| Plaintiff,                                | ) | No. 10 C 8001       |
|   | ) |                     |
| v.  | ) | Judge Nordberg      |
|   | ) |                     |
| TOMSTEN, INC. d/b/a Archiver's, The Photo | ) | Magistrate Finnegan |
| Memory Store,                             | ) |                     |
|   | ) |                     |
| Defendant.                                | ) |                     |

**STIPULATION OF DISMISSAL PURSUANT TO SETTLEMENT**

Plaintiff Shannon Arko and Defendant Tomsten, Inc. d/b/a Archiver's, The Photo Memory Store, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), stipulate as follows:

1. That Plaintiff Shannon Arko's individual claims are dismissed with prejudice; and
2. That the putative claims of the absent class members, no class having been certified in this action, are dismissed without prejudice.

SHANNON ARKO,

TOMSTEN, INC. d/b/a Archiver's,  
The Photo Memory Store,

By: s/ Paul F. Markoff  
One of Plaintiff's Attorneys

By: s/ Anthony Kirwin  
One of Defendant's Attorneys

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**CERTIFICATE OF SERVICE**

I certify that I served a copy of this *Stipulation of Dismissal Pursuant to Settlement* on the following electronically by using the CM/ECF system on this 14<sup>th</sup> day of June, 2011:

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